



# सरकारी गजट, उत्तराखण्ड

## उत्तराखण्ड सरकार द्वारा प्रकाशित

### रुड़की

खण्ड-14] रुड़की, शनिवार, दिनांक 28 दिसम्बर, 2013 ई0 (पौष 07, 1935 शक सम्वत्) [संख्या-52

#### विषय-सूची

प्रत्येक भाग के पृष्ठ अलग-अलग दिये गए हैं, जिससे उनके अलग-अलग खण्ड बन सकें

विषय	पृष्ठ संख्या	वार्षिक चन्दा
		रु0
सम्पूर्ण गजट का मूल्य ...	—	3075
भाग 1—विज्ञप्ति-अवकाश, नियुक्ति, स्थान-नियुक्ति, स्थानान्तरण, अधिकार और दूसरे वैयक्तिक नोटिस ...	633-639	1500
भाग 1—क—नियम, कार्य-विधियां, आज्ञाएं, विज्ञप्तियां इत्यादि जिनको उत्तराखण्ड के राज्यपाल महोदय, विभिन्न विभागों के अध्यक्ष तथा राजस्व परिषद् ने जारी किया ...	561-580	1500
भाग 2—आज्ञाएं, विज्ञप्तियां, नियम और नियम विधान, जिनको केन्द्रीय सरकार और अन्य राज्यों की सरकारों ने जारी किया, हाई कोर्ट की विज्ञप्तियां, भारत सरकार के गजट और दूसरे राज्यों के गजटों के उद्धरण ...	—	975
भाग 3—स्वायत्त शासन विभाग का क्रोड़-पत्र, नगर प्रशासन, नोटीफाइड एरिया, टाउन एरिया एवं निर्वाचन (स्थानीय निकाय) तथा पंचायतीराज आदि के निदेश जिन्हें विभिन्न आयुक्तों अथवा जिलाधिकारियों ने जारी किया ...	—	975
भाग 4—निदेशक, शिक्षा विभाग, उत्तराखण्ड ...	—	975
भाग 5—एकाउन्टेन्ट जनरल, उत्तराखण्ड ...	—	975
भाग 6—बिल, जो भारतीय संसद में प्रस्तुत किए गए या प्रस्तुत किए जाने से पहले प्रकाशित किए गए तथा सिलेक्ट कमेटियों की रिपोर्ट ...	—	975
भाग 7—इलेक्शन कमीशन ऑफ इण्डिया की अनुविहित तथा अन्य निर्वाचन सम्बन्धी विज्ञप्तियां ...	147-148	975
भाग 8—सूचना एवं अन्य वैयक्तिक विज्ञापन आदि ...	51-52	975
स्टोर्स पर्चेज-स्टोर्स पर्चेज विभाग का क्रोड़-पत्र आदि ...	—	1425

## भाग 1

विज्ञप्ति-अवकाश, नियुक्ति, स्थान-नियुक्ति, स्थानान्तरण, अधिकार और दूसरे वैयक्तिक नोटिस

## सुराज भ्रष्टाचार उन्मूलन एवं जनसेवा विभाग

अधिसूचना

विविध

28 अक्टूबर, 2013 ई0

संख्या 889/XLIII(1)/13-01(सुराज)11 T.C.—श्री राज्यपाल महोदय, उत्तराखण्ड विशेष न्यायालय अधिनियम, 2011 की धारा 2 की उपधारा (ख) के प्रयोजनार्थ, जिला न्यायाधीश, नैनीताल को जनपद नैनीताल, ऊधमसिंह नगर, अल्मोड़ा, चम्पावत, बागेश्वर और पिथौरागढ़ की सीमान्तर्गत उक्त अधिनियम के प्रयोजनों हेतु एवं जिला न्यायाधीश, देहरादून को जनपद देहरादून, हरिद्वार, पौड़ी गढ़वाल, टिहरी गढ़वाल, रुद्रप्रयाग, उत्तरकाशी एवं चमोली की सीमान्तर्गत प्राधिकृत प्राधिकारी अधिसूचित किये जाने की सहर्ष स्वीकृति प्रदान करते हैं।

आज्ञा से,

सुभाष कुमार,  
मुख्य सचिव।

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the notification **No. 889/XLIII(1)/13-01(Suraj)11-T.C.**, dated October 28, 2013 for general information.

## NOTIFICATION

Miscellaneous

October 28, 2013

**No. 889/XLIII(1)/13-01(Suraj)11-T.C.**--In exercise of the powers conferred by sub-section (b) of section 2 of the Uttarakhand Special Court Act, 2011 and in concurrence with the Uttarakhand High Court the Governor is pleased to accord sanction to notify the District Judge, Nainital as "Authorized Officer" for the purpose of said Act in relation to all matters falling within the territorial jurisdiction of districts Nainital, Udham Singh Nagar, Almora, Champawat, Bageshwar and Pithoragarh and the District Judge, Dehradun as the "Authorized Officer" in relation to all matters falling within the territorial jurisdiction of districts Dehradun, Hardwar, Pauri Garhwal, Tehri Garhwal, Rudraprayag, Chamoli and Uttarkashi.

By Order,

SUBHASH KUMAR  
Chief Secretary.

## श्रम एवं सेवायोजन अनुभाग

अधिसूचना

23 सितम्बर, 2013 ई0

संख्या 1036/VIII/13-31(ई0एस0आई0)/2007—चूंकि, राज्य सरकार का यह समाधान हो गया है कि उत्तराखण्ड पूर्व सैनिक कल्याण निगम लि0, देहरादून के कर्मचारियों को कर्मचारी राज्य बीमा अधिनियम, 1948 (अधिनियम संख्या 34, वर्ष 1948) के अधीन उपबन्धित लाभों से उच्चतर लाभ प्राप्त हैं।

2. अतएव, अब उक्त अधिनियम की धारा 90 द्वारा प्रदत्त शक्ति का प्रयोग करके श्री राज्यपाल महोदय, उत्तराखण्ड पूर्व सैनिक कल्याण निगम लि0, देहरादून को पूर्वगामी दिनांक 07-10-2010 से दिनांक 30-09-2011 तक उक्त अधिनियम के प्रवर्तन से छूट प्रदान करते हैं।

आज्ञा से,  
डा0 रणवीर सिंह,  
प्रमुख सचिव।

### गृह विभाग

#### अधिसूचना

29 अक्टूबर, 2013 ई0

संख्या 4246/13/XX-2/56/सुरक्षा/2007—श्री राज्यपाल महोदय, निजी सुरक्षा अभिकरण (विनियमन), अधिनियम, 2005 (अधिनियम संख्या 29, वर्ष 2005) की धारा-3 के द्वारा प्रदत्त शक्ति का प्रयोग करके 'निजी सुरक्षा एजेंसियों के लिए राज्य की आदर्श नियमावली, 2009' के प्रयोजन हेतु श्री डी0 सेन्थिल पांडियन, अपर सचिव, गृह विभाग, उत्तराखण्ड शासन को 'नियंत्रक प्राधिकारी' नामित करने की सहर्ष स्वीकृति प्रदान करते हैं।

2. इस सम्बन्ध में पूर्व निर्गत अधिसूचना संख्या-535/13/XX-2/56/सुरक्षा/2007 दिनांक 26 फरवरी, 2013 को उक्त सीमा तक संशोधित समझा जाए।

आज्ञा से,  
ओम प्रकाश,  
प्रमुख सचिव।

### सचिवालय प्रशासन (अधि0) अनुभाग-1

#### कार्यालय आदेश

24 सितम्बर, 2013 ई0

संख्या 1394/XXXI(1)/2013—श्री देव सिंह, अनुभाग अधिकारी को नियमित चयनोपरान्त अनुसचिव (वेतनमान ₹ 15600-39100, ग्रेड वेतन ₹ 6600) के पद पर कार्यभार ग्रहण करने की तिथि से अस्थाई रूप से प्रोन्नत किये जाने की श्री राज्यपाल महोदय सहर्ष स्वीकृति प्रदान करते हैं:-

- उक्त पदोन्नति के फलस्वरूप श्री देव सिंह को 01 वर्ष की विहित परीक्षा पर रखा जाता है।
- उक्त प्रोन्नति अस्थाई है तथा उत्तराखण्ड राज्य हेतु होने वाले अंतिम आवंटन के अधीन है। भारत सरकार द्वारा राज्य परामर्शीय समिति की संस्तुतियों के अनुसार यदि उ0प्र0 सचिवालय के अन्य कर्मी उत्तराखण्ड राज्य को आवंटित होते हैं तो तदपरिणाम से वरिष्ठता प्रभावित होने की स्थिति में इन आदेशों को तत्क्रम में निर्धारित होने वाली वरिष्ठता के आधार पर यथा आवश्यक परिवर्तित/प्रत्यावर्तित किया जायेगा।
- उक्त पदोन्नति मा0 लोक सेवा अधिकरण, देहरादून में योजित निर्देश याचिका संख्या 92/2011 अहमद अली व अन्य बनाम राज्य में पारित होने वाले अंतिम निर्णय के अधीन होगी।
- अनुसचिव के पद पर पदोन्नति के फलस्वरूप श्री देव सिंह को समाज कल्याण विभाग तथा सूचना प्रौद्योगिकी विभाग में तैनात किया जाता है।

आज्ञा से,  
डा0 हेमलता ढौडियाल,  
सचिव।



## वित्त अनुभाग-6

## अधिसूचना/सेवानिवृत्ति

26 नवम्बर, 2013 ई0

संख्या 765/XXVII(6)-884-2013/2013-वित्तीय हस्त पुस्तिका खण्ड-2 भाग 2 से 4 के मूल नियम 56 के खण्ड (ग) एवं शासनादेश संख्या 1844/कार्मिक-2/2002 दिनांक 09-04-2003 के अन्तर्गत श्री चन्द्रबल्लभ पाठक, वित्त अधिकारी को उनके द्वारा स्वैच्छिक सेवानिवृत्ति हेतु दी गयी नोटिस दिनांक 24-07-2013 एवं निदेशक, कोषागार एवं वित्त सेवार्ये उत्तराखण्ड के पत्र संख्या 1165/नि0को0वि0से0/व्य0प0/183/2013 द्वारा की गयी संस्तुति पर सम्यक् विचारोपरान्त श्री चन्द्रबल्लभ पाठक की दिनांक 28-02-2014 के अपरान्ह से स्वैच्छिक सेवानिवृत्ति स्वीकार किये जाने की श्री राज्यपाल महोदय सहर्ष स्वीकृति प्रदान करते हैं।

आज्ञा से,

भास्करानन्द,  
सचिव।

## पंचायतीराज अनुभाग

## कार्यालय आदेश

16 दिसम्बर, 2011 ई0

संख्या 2014/XII/2011/90(35)/2005-उत्तराखण्ड जिला पंचायत (अपर मुख्य अधिकारी का केन्द्रीय संक्राम्य संवर्ग) नियमावली, 2007 एवं समय-समय में यथा संशोधन नियमावली में निहित प्राविधानानुसार तथा विभागीय चयन समिति की संस्तुति के आधार पर निम्नलिखित कार्य अधिकारियों एवं अभियन्ताओं को तात्कालिक प्रभाव से जिला पंचायत में अपर मुख्य अधिकारी वेतनमान ₹ 15600-39100, ग्रेड वेतन ₹ 6600 के रिक्त पद पर अस्थाई रूप से पदोन्नत कर नियुक्ति प्रदान करते हुए स्तम्भ-5 में उल्लिखित जनपदों में तैनाती की जाती है:-

क्र0सं0	नाम कार्य अधिकारी/अभियन्ता	श्रेणी	वर्तमान तैनाती	पदोन्नति के पश्चात् तैनाती
1	2	3	4	5
1.	श्री तेज सिंह	अनुसूचित जाति	रुद्रप्रयाग	टिहरी गढ़वाल
2.	श्री जय प्रकाश डंगवाल	सामान्य	प्रति0 राज्य निर्वाचन आयोग	प्रति0 राज्य निर्वाचन आयोग
3.	श्री शूरवीर सिंह मटूरा	सामान्य	प्रतीक्षारत	रुद्रप्रयाग
4.	श्री भरत सिंह नेगी	सामान्य	देहरादून	देहरादून
5.	श्री खुशपाल सिंह पयाल	सामान्य	हरिद्वार	चमोली
6.	श्री राजेश कुमार	अनुसूचित जाति	पिथौरागढ़	पिथौरागढ़
7.	श्री हिमाली जोशी 'पेटवाल'	सामान्य	नैनीताल	नैनीताल
8.	श्री जयेन्द्र सिंह पंवार	सामान्य	नोशनल पदोन्नति	सेवानिवृत्त
9.	श्री शेर सिंह परगाई	सामान्य	अल्मोड़ा	अल्मोड़ा
10.	श्री जगदीश प्रसाद आर्य	अनुसूचित जाति	नैनीताल	चम्पावत
11.	श्री बी0डी0 पाण्डे	सामान्य	ऊधमसिंह नगर	ऊधमसिंह नगर
12.	श्री मनवर सिंह राणा	सामान्य	चमोली	पौड़ी
13.	श्री राजीव कुमार नाथ त्रिपाठी	सामान्य	हरिद्वार	हरिद्वार
14.	श्री सोहन लाल गैरोला	सामान्य	उत्तरकाशी	उत्तरकाशी

2. उपरोक्त क्रमांक 8 पर अंकित कार्य अधिकारी श्री जयेन्द्र सिंह पंवार दिनांक 31-10-2011 को सेवानिवृत्त हुए हैं। अतः श्री जयेन्द्र सिंह पंवार को सेवानिवृत्ति की तिथि दिनांक 31-10-2011 को नोशनल पदोन्नति की जाती है।
3. उक्त समस्त अपर मुख्य अधिकारियों को दो वर्ष की परीवीक्षा अवधि में रखा जाता है तथा पारस्परिक ज्येष्ठता पृथक से निर्धारित की जायेगी।
4. उक्त समस्त अपर मुख्य अधिकारियों को निर्देशित किया जाता है कि अपनी नवीन तैनाती जनपद पर तत्काल योगदान देते अपनी योगदान आख्या शासन/निदेशक पंचायतीराज को उपलब्ध कराया जाना सुनिश्चित करेंगे।

एन0 एस0 नेगी,  
सचिव।

### वित्त अनुभाग-1

#### विज्ञप्ति/नियुक्ति

01 नवम्बर, 2013 ई0

संख्या 780/XXVII(1)/2013-बजट राजकोषीय नियोजन एवं संसाधन निदेशालय में अपर शोध अधिकारी के पद पर कार्यरत श्री उमेश शुक्ल एवं श्री चन्दर सिंह बोरा की "उत्तराखण्ड बजट राजकोषीय नियोजन एवं संसाधन निदेशालय (संशोधन) सेवा नियमावली, 2012" सपठित "उत्तरांचल बजट राजकोषीय नियोजन एवं संसाधन निदेशालय सेवा नियमावली, 2006" में निहित प्रावधानानुसार शोध अधिकारी (वेतन बैंड-3/₹ 15600-39100 एवं ग्रेड वेतन ₹ 5400) के रिक्त 02 पदों पर पदोन्नति हेतु यथा प्रक्रिया चयनोपरान्त उत्तराखण्ड लोक सेवा आयोग की संस्तुति के क्रम में शोध अधिकारी (वेतन बैंड-3/₹ 15600-39100 एवं ग्रेड वेतन ₹ 5400) के पद पर कार्यभार ग्रहण करने की तिथि से पदोन्नति प्रदान करते हुये, नियुक्ति किये जाने की श्री राज्यपाल महोदय सहर्ष स्वीकृति प्रदान करते हैं।

2. उक्त कार्मिकों को शोध अधिकारी के पद पर उपर्युक्त सेवा नियमावली, 2006 (यथा संशोधित) के नियम-19 के अन्तर्गत 02 वर्ष की परीवीक्षा पर रखा जाता है।
3. उक्त कार्मिकों को निर्देशित किया जाता है कि वे नियमानुसार पदोन्नति के पद पर तत्काल कार्यभार ग्रहण करना सुनिश्चित करें।

#### कार्य-भार प्रमाणक

01 नवम्बर, 2013 ई0

संख्या 136/बजट/2013-एतद्वारा प्रमाणित किया जाता है कि उत्तराखण्ड शासन, वित्त अनुभाग-1 की विज्ञप्ति/नियुक्ति संख्या 780/XXVII(1)/2013 दिनांक 01 नवम्बर, 2013 के अनुपालन में शोध अधिकारी, बजट राजकोषीय नियोजन एवं संसाधन निदेशालय, सचिवालय के पद का कार्यभार, जैसा कि यहां व्यक्त किया गया है, दिनांक 01 नवम्बर, 2013 अपरान्ह में ग्रहण किया गया।

उमेश शुक्ल,  
शोध अधिकारी।

प्रतिहस्ताक्षर,

डॉ0 एम0सी0 जोशी,  
अपर सचिव/अपर निदेशक,  
बजट राजकोषीय नियोजन एवं  
संसाधन निदेशालय, सचिवालय, देहरादून।

आज्ञा से,  
एल0 एन0 पन्त,  
अपर सचिव, वित्त।



## वन एवं पर्यावरण अनुभाग-1

## विज्ञप्ति/पदोन्नति

19 नवम्बर, 2013 ई0

संख्या 3058/X-1-2013-04(05)/2005-उत्तराखण्ड लोक सेवा आयोग के माध्यम से नियमित चयनोपरान्त निम्नलिखित अपर सांख्यिकीय अधिकारियों को कार्यभार ग्रहण करने की तिथि से, सांख्यिकीय अधिकारी के वेतन बैंड-3, वेतनमान ₹ 15600-39100, सादृश्य ग्रेड वेतन ₹ 5400 के प्रोन्नति प्रभाग के रिक्त पदों के विरुद्ध अस्थायी रूप से प्रोन्नति प्रदान करने व 01 वर्ष की परीक्षा अवधि पर रखे जाने की श्री राज्यपाल महोदय सहर्ष स्वीकृति प्रदान करते हैं:-

क्र०सं०	अधिकारी का नाम	चयन वर्ष
1	2	3
1.	श्री ओम कैलाश त्यागी	2011-12
2.	श्री अजय महेश्वरी	2011-12
3.	श्री अरविन्द कुमार वर्मा	2011-12
4.	श्री गोरखनाथ	2011-12

2. यह विज्ञप्ति इस शर्त के साथ निर्गत की जाती है कि यदि उपर्युक्त तालिका में उल्लिखित कार्मिकों से वरिष्ठ कोई कार्मिक उत्तराखण्ड राज्य को अंतिम रूप से आवंटित होते हैं एवं उनके द्वारा उत्तराखण्ड राज्य में योगदान प्रस्तुत किया जाता है तो ऐसे कार्मिकों की ज्येष्ठता/पात्रता के अनुरूप प्रोन्नति हेतु विचार किये जाने पर रिक्तियाँ उपलब्ध न रहने की दशा में इस विज्ञप्ति के क्रम में प्रोन्नत कनिष्ठ कार्मिकों का उनके मूल पद पर प्रत्यावर्तन किया जा सकता है व ऐसे प्रत्यावर्तन पर कोई क्षतिपूर्ति देय नहीं होगी।

आज्ञा से,

मनोज चन्द्रन,  
अपर सचिव।

## नियोजन अनुभाग-2

## विज्ञप्ति/स्थानान्तरण

14 नवम्बर, 2013 ई0

संख्या 703/XXVI/दो(3)/2004-अर्थ एवं संख्या निदेशालय में एस0पी0ए0 के अन्तर्गत एच0डी0आई0/एच0डी0आर0 तैयार करने तथा डॉ0 ईला पन्त बिष्ट, अर्थ एवं संख्याधिकारी बागेश्वर के स्वास्थ्य सम्बन्धी प्रार्थना पत्र को दृष्टिगत रखते हुए निम्नानुसार अर्थ एवं संख्याधिकारियों को स्थानान्तरण किया जाता है:-

क्र०सं०	अधिकारी का नाम	नवीन तैनाती का स्थान
1.	श्री ललित आर्य	अर्थ एवं संख्या निदेशालय, देहरादून
2.	डॉ0 ईला पन्त बिष्ट	जनपद - अल्मोड़ा

2. उक्त अधिकारियों को निर्देशित किया जाता है कि वे तत्काल अपने पद/स्थान पर बिना प्रतिस्थानी के कार्यभार ग्रहण किया जाना सुनिश्चित करें।

3. कार्यभार ग्रहण करने के तुरन्त पश्चात् श्री ललित आर्य, ए0डी0आर0 से सम्बन्धित अपेक्षित मैथडोलोजी एवं विभिन्न राज्यों की एच0डी0आर0 का अध्ययन करना सुनिश्चित करेंगे एवं यथावश्यक सम्बन्धित अधिकारियों को प्रशिक्षित भी करेंगे।

पीयूष सिंह,  
अपर सचिव।

## विज्ञप्ति/नियुक्ति

14 नवम्बर, 2013 ई0

संख्या 704/XXVI/दो(3)/2004-अर्थ एवं संख्या विभाग में कार्यरत निम्नांकित अपर अर्थ एवं संख्याधिकारियों को लोक सेवा आयोग, उत्तराखण्ड की संस्तुति के आधार पर उनके नियमित चयनोपरान्त अर्थ एवं संख्याधिकारी के पद पर वेतनमान ₹ 15600-39100, ग्रेड पे ₹ 5400 पर कार्यालय ज्ञाप संख्या 532/XXVI/दो(3)/2004 दिनांक 05 अगस्त, 2013 द्वारा अस्थाई रूप से प्रोन्नत कार्मिकों को उनके नाम के सम्मुख अंकित जनपद में तैनात किये जाने की श्री राज्यपाल महोदय सहर्ष स्वीकृति प्रदान करते हैं:-

क्र०सं०	अधिकारी का नाम	तैनाती का स्थान
1.	श्री अव्वल सिंह बिष्ट	निदेशालय देहरादून
2.	श्री शिवचरण सिंह गुसाईं	चमोली
3.	श्री नन्दा सिंह	रूद्रप्रयाग
4.	श्री बी०एन० सिंह वर्मा	निदेशालय देहरादून
5.	श्री जगदीश चन्द्र जोशी	पिथौरागढ़
6.	श्री द्वारिका प्रसाद नौटियाल	बागेश्वर
7.	श्री सुलेख चन्द्र	निदेशालय देहरादून
8.	श्री राजकुमार अस्थाना	हरिद्वार
9.	श्री प्रीतम सिंह बिष्ट	हल्द्वानी-कुमायूं मण्डल
10.	श्री बी०एस० मियां	शहरी विकास निदेशालय, देहरादून में सृजित पद पर
11.	श्री वीरेन्द्र कुमार पुरी	निदेशालय देहरादून

- उक्त अधिकारियों को निर्देशित किया जाता है कि वे तत्काल अपने नवीन पद/स्थान पर कार्यभार ग्रहण किया जाना सुनिश्चित करें।
- उक्त अधिकारियों को अर्थ एवं संख्याधिकारी के पद पर नियमानुसार 2 वर्ष की परीक्षा पर रखा जाता है।

आज्ञा से,

पीयूष सिंह,  
अपर सचिव।



# सरकारी गजट, उत्तराखण्ड

उत्तराखण्ड सरकार द्वारा प्रकाशित

रुड़की, शनिवार, दिनांक 28 दिसम्बर, 2013 ई0 (पौष 07, 1935 शक सम्वत्)

## भाग 1-क

नियम, कार्य-विधियां, आज्ञाएं, विज्ञप्तियां इत्यादि जिनको उत्तराखण्ड के राज्यपाल महोदय, विभिन्न विभागों के अध्यक्ष तथा राजस्व परिषद् ने जारी किया

## HIGH COURT OF UTTARAKHAND, NAINITAL

### NOTIFICATION

November 01, 2013

**No. 225/UHC/Admin.A/2013--**Ms. Rajani Shukla, Additional Chief Judicial Magistrate, Haldwani, District Nainital is transferred and posted as Civil Judge (Sr. Div.), Tehri Garhwal, in the *vacant* Court.

### NOTIFICATION

November 01, 2013

**No. 226/UHC/Admin.A/2013--**Ms. Anjushree Juyal, Additional Chief Judicial Magistrate (Railway), Haldwani, District Nainital is posted as Civil Judge (Sr. Div.), Haldwani, District Nainital, *vice* Ms. Deepali Sharma.

### NOTIFICATION

November 01, 2013

**No. 227/UHC/Admin.A/2013--**Ms. Deepali Sharma, Civil Judge (Sr.Div.), Haldwani, District Nainital is posted as Additional Chief Judicial Magistrate, Haldwani, District Nainital, *vice* Ms. Rajani Shukla.

She shall also discharge the duties of Additional Chief Judicial Magistrate (Railway), Haldwani, District Nainital in addition to her duties.

This order shall come into force from 11-11-2013.



## NOTIFICATION

*November 01, 2013*

**No. 228/UHC/Admin.A/2013**--Consequent upon the change of designation of the Court of Special Judge (E.C. Act), Nainital as Additional District & Sessions Judge, Nainital, the Court of Special Judge (E.C. Act), Nainital, presently Presided over by Sri Kaushal Kishore Shukla is re-designated as 1<sup>st</sup> Additional District & Sessions Judge, Nainital.

## NOTIFICATION

*November 01, 2013*

**No. 229/UHC/Admin.A/2013**--Consequent upon the change of designation of the Court of Special Judge (C.B.I.), Nainital as Additional District & Sessions Judge, Nainital, the Court of Special Judge (C.B.I.), Nainital, presently Presided over by Sri Brijendra Singh is re-designated as 2<sup>nd</sup> Additional District & Sessions Judge, Nainital.

## NOTIFICATION

*November 01, 2013*

**No. 230/UHC/Admin.A/2013**--Consequent upon the transfer of the Court of Additional District & Sessions Judge, Nainital to Haldwani, Sri Prem Singh Khimal, Additional District & Sessions Judge, Haldwani, District Nainital is designated as 1<sup>st</sup> Additional District & Sessions Judge, Haldwani, District Nainital.

## NOTIFICATION

*November 01, 2013*

**No. 231/UHC/Admin.A/2013**--The Court of Additional District & Sessions Judge, Nainital, which is shifted from Nainital to Haldwani is designated as 2<sup>nd</sup> Additional District & Sessions Judge, Haldwani, District Nainital.

## NOTIFICATION

*November 01, 2013*

**No. 232/UHC/Admin.A/2013**--Consequent upon the Government Notification no. 230/XXXVI(1)(2)/2013-321/13 dated 20-09-2013, the Court of Additional Chief Judicial Magistrate (C.B.I.), Nainital is re-designated as Additional Chief Judicial Magistrate, Nainital.

This order shall come into force with immediate effect.

By Order of the Court,

Sd/-

**D. P. GAIROLA,**  
*Registrar General.*

## NOTIFICATION

November 01, 2013

**No. 233 UHC/XIV/18/Admin.A/2008**--Sri Vivek Dwivedi, Civil Judge (Sr. Div.), Kahsipur, District Udham Singh Nagar is hereby sanctioned earned leave for 16 days w.e.f. 29-08-2013 to 13-09-2013 with permission to prefix 28-08-2013 as Sunday holiday and to suffix 14-09-2013 & 15-09-2013 as 2<sup>nd</sup> Saturday & Sunday holiday.

## NOTIFICATION

November 01, 2013

**No. 234 UHC/XIV/28/Admin.A/2008**--Sri Sudhir Tomar, Civil Judge (Jr. Div.), Pauri Garhwal is hereby sanctioned medical leave for 11 days w.e.f. 18-07-2013 to 28-07-2013.

By Order of Hon'ble the Administrative Judge,

Sd/-

Registrar (Inspection).

## NOTIFICATION

November 13, 2013

**No. 235/VIII-a-1/Stationery/UHC/2013**--The High Court and Subordinate Courts shall remain open on 14-11-2013 (Thursday). The High Court and Subordinate Courts will remain closed on 15-11-2013 (Friday) on account of 'Moharram'.

By Order of the Court,

Sd/-

**NARENDRA DUTT**

I/c Registrar General.

## NOTIFICATION

November 16, 2013

**No. 236 UHC/XIV/12/Admin.A/2008**--Sri Ashutosh Kumar Mishra, Chief Judicial Magistrate, Udham Singh Nagar is hereby sanctioned earned leave for 10 days w.e.f. 21-10-2013 to 30-10-2013 with permission to prefix 20-10-2013 as Sunday holiday.

## NOTIFICATION

October 29, 2013

**No. 6264 UHC/XIV/88/Admin.A/2003**--Sri Naseem Ahmad, Chief Judicial Magistrate, Bageshwar is hereby sanctioned medical leave for 05 days w.e.f. 28-09-2013 to 02-10-2013.

By Order of Hon'ble the Administrative Judge,

Sd/-

Registrar (Inspection).

## UTTARAKHAND ELECTRICITY REGULATORY COMMISSION

First Floor, Institution of Engineers (India) Building, Near I.S.B.T., Saharanpur Road,  
Clement Town, Dehradun-248002

## Notification

December 20, 2013

F-9(21)/RG/UERC/2013/1287: In exercise of powers conferred under section 181 read with Section 61(h) of the Electricity Act, 2003, and all other powers enabling it in this behalf, and after previous publication, the Uttarakhand Electricity Regulatory Commission hereby makes the following amendments in the Uttarakhand Electricity Regulatory Commission (Compliance of Renewable Purchase Obligation) Regulations, 2010 (Principal Regulations), namely:

**1. Short Title, Commencement and Interpretation**

- (1) These Regulations may be called the Uttarakhand Electricity Regulatory Commission (Compliance of Renewable Purchase Obligation) (First Amendment) Regulations, 2013.
- (2) These shall come into force on the date of their publication in the official Gazette.

**2. Amendment of Regulation 2 of Principle Regulation:**

The definition given in Clause (l) of Sub-Regulation (2.1) of the Principle Regulation will be replaced as under:

*"Obligated Entity" means the distribution licensee, captive user (excluding co-generation based captive power plants) and open access consumer in the State, mandated to fulfill renewable purchase obligation under these regulations.*

**3. Amendment of Regulation 2 of Principal Regulation:** Clause (o) of Sub-Regulation (2.1) of the Principal Regulations shall be deleted.

**4. Amendment of Regulation 5 of Principal Regulation:** Sub-Regulation (5.1) of the Principal Regulations shall be read as under:

*"Every Obligated Entity shall, on a yearly basis on or before 15th March, submit to the State Agency with a copy to the Commission, the details of the estimated quantum of purchase from renewable energy sources for the ensuing year. The estimated quantum of such purchase shall be in accordance with UERC (Tariff and Other Terms of Supply of Electricity from Co-generation and Renewable Energy Sources) Regulations 2013. In case of actual requirement of the Obligated Entity for purchase of renewable energy being different at the end of financial year than that submitted by it, the obligation towards renewable purchase quantum shall stand modified to that extent."*

**5. Amendment of Regulation 7 of Principal Regulation:** "Regulation 6.1" appearing in second proviso of Sub-Regulation (7.2) of the Principal Regulations be read as "Regulation 7.1".

**6. Amendment of Regulation 8 of Principal Regulation:**

Regulation 8.1 of the Principal Regulations be replaced with the following:



"8.1 A generating company engaged in generation of electricity from renewable energy sources including self-consumption of generation from renewable energy based captive generation plant and renewable energy based Co-generation plants shall be eligible to apply for accreditation subject to following conditions:

- a. It has connectivity to the State network and injects power into the grid. However, injection of power into the grid will not be a pre-requisite for accreditation in case of self consumption of generation from RE based captive generation plants and RE based Co-generation plants.
- b. It does not have any power purchase agreement for the capacity related to such generation to sell electricity, to any Entity for the purpose of meeting its renewable purchase obligation, at a tariff determined under section 62 or adopted under section 63 of the Act by the appropriate Commission:

*Provided that self consumption of generation from renewable energy sources based captive generation plants and renewable energy sources based cogeneration plants shall be based on the capacity as assessed by the distribution licensee of the State, and the same shall be considered as the capacity for captive consumption for the purpose of issue of certificates.*

- c. It sells the electricity generated either (i) to the distribution licensee of the area in which the eligible entity is located, at the pooled cost of power purchase (excluding transmission charges) of such distribution licensee as determined by the Commission, or (ii) to any other licensee or to an open access consumer at a mutually agreed price, or through power exchange at market determined price; and

*Explanation: For the purpose of these regulations, "Pooled Cost of Purchases" means the weighted average pooled price at which the distribution licensee has purchased the electricity including the cost of self generation, if any, in the previous year from all the energy suppliers long-term and short-term, but excluding those based on renewable energy sources, as the case may be."*

*Provided that such a generating company having entered into a power purchase agreement for sale of electricity with the obligated entity for the purpose of meeting its renewable purchase obligation, at a tariff determined under section 62 or adopted under section 63 of the Act by the Commission shall not, in case of pre-mature termination of the agreement, be eligible for participating in the Renewable Energy Certificate (REC) scheme for a period of three years from the date of termination of such agreement or till the scheduled date of expiry of power purchase agreement, whichever is earlier.*

*Provided further that renewable energy sources based Captive Generating Plant (CGP) shall be eligible for the energy generated from such plant for self consumption for participating in the REC scheme subject to the condition that such CGP has not availed or does not propose to avail any benefit in the form of concessional/promotional transmission or wheeling charges and/or banking facility benefit.*

*Provided also that if such a CGP forgoes on its own the benefits of concessional transmission or wheeling charges and/or banking facility benefit it shall become eligible for participating in the REC scheme only after a period of three years has elapsed from the date of forgoing such benefits:*

*Provided also that the above mentioned condition for CGP for participating in the REC scheme shall not apply if the benefits given to such CGP in the form of concessional transmission or wheeling charges and/or banking facility benefit are withdrawn by the Commission and/or the State Government:*

*Provided also that any renewable energy sources based Co-generation plant availing the concessional benefits in the form of transmission or wheeling charges and/or the banking facility benefit shall be required to forego such benefits for the purpose of availing renewable energy certificate for self-consumption of energy generated. It shall become eligible for participating in the REC scheme immediately after the date of forgoing such benefits:*

*Provided also that if any dispute arises as to whether a CGP or any other renewable energy generator has availed such concessional/promotional benefits, the same shall be referred to the Commission for decision.*

*Explanation: For the purpose of this Regulation, the expression 'banking facility benefit' shall mean only such banking facility whereby the CGP or renewable energy sources based Co-generating stations gets the benefit of utilizing the banked energy at any time (excluding peak hours).*

- d. *It possesses the necessary infrastructure required to carry out energy metering and time-block wise accounting.*

*Provided that the renewable energy purchased by the obligated entity in excess of its Renewable Purchase Obligation, as certified by the State Nodal Agency, shall be deemed to have been supplied by the renewable generators at pooled cost of purchases on pro-rata basis, at the option of such generators being given in writing to the concerned obligated entity and the State Nodal Agency and such generators shall also be entitled for accreditation only for such excess generation. The State Nodal Agency shall certify the quantum of such units for each generator after taking necessary data from all concerned. PPAs of such generators shall also have to be modified accordingly.*

- e. *It does not sell electricity generated from the plant, either directly or through trader, to an obligated entity for compliance of the renewable purchase obligation by such entity."*



**Uttarakhand Electricity Regulatory Commission****Vidyut Niyamak Bhawan, Near I.S.B.T., P.O.-Majra, Dehradun-248171, Uttarakhand****Coram****Shri Jag Mohan Lal Chairman****Shri C. S. Sharma Member****Shri K. P. Singh Member****Statement of Reasons for the "Uttarakhand Electricity Regulatory Commission (Compliance of Renewable Purchase Obligation) (First Amendment) Regulations, 2013"****Statement of Reasons****1. INTRODUCTION**

The Commission had notified the UERC (Compliance of Renewable Purchase Obligation) Regulations, 2010 (hereinafter referred to as Principal Regulations) vide notification dated November 3<sup>rd</sup>, 2010. The objective of these regulations was to introduce the concept of renewable energy certificate (RECs) which sought to address the mismatch between availability of renewable energy sources and the requirement of obligated entities to meet their renewable purchase obligations. The REC mechanism aimed at promoting additional investment in the renewable energy projects and to provide an alternative mode to the RE generators for recovery of their costs. Keeping in view the main objective of promoting new investments in renewable energy generation, the generating capacity tied up in PPAs was excluded from the eligibility for participating in REC mechanism.

The Commission with a view is to provide clarity on applicability of the regulations to eligible entities and bring in certain essential checks and balances in the REC related process published the draft "Uttarakhand Electricity Regulatory Commission (Compliance of Renewable Purchase Obligation) (First Amendment) Regulations, 2013" covering currently the following:

- i. Definition of obligated entity:
- ii. Eligibility criteria for issuance of Certificate
- iii. Issue regarding treatment of PPA entered through competitive bidding and not through cost plus tariff determined by the regulators
- iv. Self consumption by a renewable energy based captive generating plant (CGP) and



- by a renewable energy based co-generation plant
- v. Issue of Seasonal PPA in cases of bagasse based cogeneration:
- vi. Procurement of electricity by a local distribution licensee at the rate of pooled cost of purchase as determined by the Commission
- vii. The Commission also clarifies that electricity supplied to an obligated entity for compliance of the RPO shall not be eligible for REC, since allowing it eligible for RECs would amount to double counting of the green attributes.

Last date of submission of comments / suggestions / objections was kept on date 30.09.2013. A list of stakeholders who submitted comments is enclosed as **Annexure-I**.

**Consideration of the views of the stakeholders and analysis and findings of the Commission on important issues:**

**1. Definition of obligated entity (Amendment of Regulation 2 of Principle Regulation):**

The draft amendment provides the definition of "Obligated Entity" given in Clause

(1) of Sub-Regulation (2.1) of the Principle Regulation as under:

*"Obligated Entity" means the distribution licensee, captive user (excluding co-generation based captive power plants) and open access consumer in the State, mandated to fulfill renewable purchase obligation under these regulations."*

**Comments received**

M/s Century Pulp & Paper in its comments has submitted that the definition of Obligated Entity given in Sub-Regulation (5.1) should also be replaced with the definition proposed in Clause (1) of Sub-Regulation (2.1) of the principal regulation. UREDA, the State Agency was of the opinion that the words "and renewable energy based captive power plants" could be inserted after the words excluding co-generation based captive power plants.

**Analysis and decision**

The Commission is of the view that Hon'ble ATE vide judgment in Appeal no. 57 of 2009 dated 26.04.2010 in Century Rayon Vs. MERC & Others held that the "The fastening of the obligation on the co-generator to procure electricity from renewable energy would defeat the object of Section 86 (1)(e)." Hon'ble ATE in the above referred Judgment also held that since the Appeal was generic in nature, the conclusions in the Appeal would be equally applicable to all co-generation based captive users who may be using any fuel. Accordingly, in light of Hon'ble ATE's judgment referred above, the Commission has decided to retain

the definition as provided in the draft Regulations. However, as submitted by M/s Century Pulp & Paper regarding amendment of sub-Regulation (5.1) the Commission observes that it in order to have consistency with sub-Regulation (2.1) the amendment of sub-Regulation (5.1) would also become necessary in addition to amendment in sub-Regulation (2.1) of the Principal Regulations. Therefore, following amendment in sub-Regulation (5.1) is being made:

**Amendment of sub-Regulation (5.1) of Principal Regulation:**

Sub-Regulation (5.1) of the Principal Regulations shall be read as under:

*"Every Obligated Entity shall, on a yearly basis on or before 15th March, submit to the State Agency with a copy to the Commission, the details of the estimated quantum of purchase from renewable energy sources for the ensuing year. The estimated quantum of such purchase shall be in accordance with UERC (Tariff and Other Terms of Supply of Electricity from Co-generation and Renewable Energy Sources) Regulations 2013. In case of actual requirement of the Obligated Entity for purchase of renewable energy being different at the end of financial year than that submitted by it, the obligation towards renewable purchase quantum shall stand modified to that extent.*

Further, w.r.t. UREDA's submission for exclusion of renewable energy based captive power plants from the definition of "Obligated Entity", it is clarified that in the Principal Regulations all the captive users are covered under obligated entity. However, in accordance with the directions of the Hon'ble ATE as discussed above, only co-generation based captive users have been excluded from the purview of obligated entity. Moreover, the definition of obligated entity is in accordance with the Model Regulations for SERCs for REC Framework as approved by FOR. Other captive users are covered as obligated entity. Besides this, renewable based captive users can offset their obligation from the total generation available from renewable sources. Hence, the Commission does not feel any need to exclude the renewable energy based captive users outside the purview of the "Obligated Entity".

**2. Amendment of Regulation 8 of Principal Regulation:**

**a. Proposed Amendment to Clause (a) of sub-Regulation (8.1) of the Principal Regulations: Comments received**

M/s Century Pulp & Paper and UREDA have submitted that the term 'connectivity' should be more explanatory. M/s Century Pulp & Paper suggested that RE based co-generation plant, which do not have excess power to inject into the grid do not require connectivity, and in such case they should be deemed to be connected.



**Analysis and Decision**

The Commission is of the view that self consumption of electricity generated from renewable energy or renewable energy based co-generation should also be made eligible for REC mechanism because such self consumption actually replaces the demand from the grid power. However, as per CERC REC Regulations, only grid connected RE technologies including CPP are eligible to participate under REC Mechanism. In case grid connected CPP, the self consumption such CPP would be treated as deemed injection in to the grid .Hence, connectivity is pre-requisite for accreditation under REC framework. However, injection should be insisted upon for granting accreditation & self-consumption of the CPPs would be treated as deemed injection into the grid. Hence, Clause (a) of sub-Regulation (8.1) of the Principal Regulations shall be replaced by the following:

*"It has connectivity to the State network and injects power into the grid. However, injection of power into the grid will not be a prerequisite for accreditation in case of self consumption of generation from RE based captive generation plants and RE based Co-generation plants,".*

**b. Proposed Amendment to Clause (b) of Sub-Regulation (8.1) of the Principal Regulations:**

**Comments received**

M/s Open Access Users Association has submitted that words "preferential tariff" in Clause (b) of Regulation 8.1 should be replaced by the word "tariff".

**Analysis and Decision**

The Commission observes that "preferential tariff" as defined under Clause (o) of sub Regulation (2.1) has been proposed to be deleted from the Principal Regulations in the draft Amendment Regulations for reasons mentioned in the SoR accompanying the draft amendment Regulations. Accordingly, the same correction has to be made in Clause (b) of Regulation 8.1. Therefore, Clause (b) of Sub-Regulation (8.1) of the Principal Regulations shall be substituted as under:

*"It does not have any power purchase agreement for the capacity related to such generation to sell electricity, to any Entity for the purpose of meeting its renewable purchase obligation, at a tariff determined under section 62 or adopted under section 63 of the Act by the appropriate Commission:*

*Provided that self consumption of generation from renewable energy sources based captive generation plants and renewable energy sources based cogeneration plants shall be based on the capacity as assessed by the distribution licensee of the State, and the same shall be considered as the capacity for captive consumption for the purpose of issue of certificates."*



**b. Proposed Amendment to Clause (c) of Sub-Regulation (8.1) of the Principal Regulations:****Comments received**

M/s REConnect Energy Solutions has submitted that the Commission should consider removal of the words "(excluding transmission charges)" as (1) an APPC contract is a contract to sell power to the local Discom and therefore does not generally include a separate transmission charge and (2) it deviates from the CERC REC regulations (2nd Amendment).

**Analysis and Decision**

The Commission observes that Average Pooled Cost of Power (APPC) has been defined by this Commission in Principal Regulations as well as by CERC in relevant Regulations as under:

*"for the purpose of these regulations 'Pooled Cost of Purchase' means the weighted average pooled price at which the distribution licensee has purchased the electricity including cost of self generation, if any, in the previous year from all the energy suppliers long-term and short-term, but excluding those based on renewable energy sources, as the case may be."*

From the above referred definition of APPC, it is apparent that APPC does not provides for inclusion of transmission charges but refers only to the power purchase cost of the discom. Further, there is no mention of exclusion of transmission charges in CERC REC regulations (2nd Amendment). Hence, suggestion made by M/s RE Connect Energy Solutions is not considered and Clause (c) of Sub-Regulation 8.1 shall be read as:

*"c. It sells the electricity generated either (i) to the distribution licensee of the area in which the eligible entity is located, at the pooled cost of power purchase (excluding transmission charges) of such distribution licensee as determined by the Commission, or (ii) to any other licensee or to an open access consumer at a mutually agreed price, or through power exchange at market determined price; and*

*Explanation: For the purpose of these regulations, "Pooled Cost of Purchases" means the weighted average pooled price at which the distribution licensee has purchased the electricity including the cost of self generation, if any, in the previous year from all the energy suppliers long-term and short-term, but excluding those based on renewable energy sources, as the case may be."*

**c. Proposed Amendment at the end of the Clause (c) of sub-Regulation (8.1) of the Principal Regulations:**

**Comments received**

M/s RE Connect Energy Solutions has submitted that the Commission should also mention that a generating company having entered into a power purchase agreement for sale of electricity with the obligated entity for the purpose of meeting its renewable purchase obligation can be eligible under REC mechanism if the PPA is terminated on mutual terms i.e. both parties have mutually decided to terminate the PPA.

M/s Open Access Users Association has submitted that for the purpose of this Regulation, the expression 'banking facility benefit' shall mean only such banking facility whereby the CGP or renewable energy sources based Co-generating stations gets the benefit of utilizing the banked energy at any time (excluding peak hours)." at the end of clause (c) of Regulation 8.1 should be substituted by the words "Explanation:- For the purpose of this Regulation, the expression 'banking facility benefit' shall mean only such banking facility whereby the CGP or renewable energy sources based Co-generating stations gets the benefit of utilizing the banked energy at any time (including peak hours) even when it has injected into grid during off-peak hours".

**Analysis and Decision**

The Commission has already dealt with the issue in its SOR accompanying the draft amendment Regulations. If this request is allowed, then all the renewable generators having an existing PPA with a distribution utilities for sale of electricity at preferential (cost plus) tariff may attempt to breach the existing contracts with the sole objective of making profits through REC mechanism. Hence, in order to discourage breach of existing PPAs, it was proposed that such a generator would be ineligible for participating in REC mechanism in respect of the generating capacity tied up in long term PPA for three years or till the expiry of the period of PPA whichever is earlier. Moreover, the Commission observes that above mentioned amendment is in consonance with Regulations issued by the CERC hence the Commission is of the view to retain the same.

In UERC (Tariff and Other Terms for Supply of Electricity from Non-conventional and Renewable Energy Sources) Regulations, 2013, the term "Banking" has been defined as "the process under which a captive generating station supplies power to the grid not with the intention of selling it either to a third party or to a licensee, but with the intention of exercising his eligibility to draw back this power from the grid for its own use". Further,



Regulation 46 of the above mentioned RE Regulations, 2013 provides for withdrawal of banked power relevant part of the same is reproduced as under:

***"46. Banking of Power (Applicable only in case of Captive Generating Plants & Non-fossil fuel based Co-generating Stations)***

*(1) The Generating Stations shall be allowed to bank power within a period of one calendar month, for the purpose of withdrawal of the banked power in the event of emergency or shut down or maintenance of the plant, subject to following conditions:*

*(a) Banking of energy upto 100%, as agreed between the plant and the distribution licensee, shall be allowed during the period declared by the Commission as peak hours from time to time in its Tariff Orders.*

*(b) Withdrawal of power shall be allowed only during the period other than the period declared by the Commission as peak hours from time to time in its Tariff Orders.*

*..."*

From above, it is apparent that suggestion made by the stakeholder is contrary to the provision of the existing regulation which does not allow drawl of banked power during peak hours. During peak hours in the State, there is a situation of deficit as the peak demand increases and to meet this demand, the licensee at times has to overdraw costlier power from the grid to meet its demand. Hence, allowing withdrawal of power during peak hours as proposed by the stakeholder would increase the deficit of the distribution licensee. Accordingly, the proposal made by the stakeholder may not be considered and the Commission is of the view to retain the proposed amendment, which is read as under:

*"Provided that such a generating company having entered into a power purchase agreement for sale of electricity with the obligated entity for the purpose of meeting its renewable purchase obligation, at a tariff determined under section 62 or adopted under section 63 of the Act by the Commission shall not, in case of pre-mature termination of the agreement, be eligible for participating in the Renewable Energy Certificate (REC) scheme for a period of three years from the date of termination of such agreement or till the scheduled date of expiry of power purchase agreement, whichever is earlier.*

*Provided further that renewable energy sources based Captive Generating Plant (CGP) shall be eligible for the energy generated from such plant for self consumption for participating in the REC scheme subject to the condition that such CGP has not availed or does not propose to avail any benefit in the form of concessional/promotional transmission or wheeling charges and/or banking facility benefit.*



*Provided also that if such a CGP forgoes on its own the benefits of concessional transmission or wheeling charges and/or banking facility benefit it shall become eligible for participating in the REC scheme only after a period of three years has elapsed from the date of forgoing such benefits:*

*Provided also that the above mentioned condition for CGP for participating in the REC scheme shall not apply if the benefits given to such CGP in the form of concessional transmission or wheeling charges and/or banking facility benefit are withdrawn by the Commission and/or the State Government:*

*Provided also that any renewable energy sources based Co-generation plant availing the concessional benefits in the form of transmission or wheeling charges and/or the banking facility benefit shall be required to forego such benefits for the purpose of availing renewable energy certificate for self-consumption of energy generated. It shall become eligible for participating in the REC scheme immediately after the date of forgoing such benefits:*

*Provided also that if any dispute arises as to whether a CGP or any other renewable energy generator has availed such concessional/promotional benefits, the same shall be referred to the Commission for decision.*

*Explanation: For the purpose of this Regulation, the expression 'banking facility benefit' shall mean only such banking facility whereby the CGP or renewable energy sources based Co-generating stations gets the benefit of utilizing the banked energy at any time (excluding peak hours)."*

**e. Proposed Amendment of adding new after Clause (d) under Sub-Regulation (8.1) of the Principal Regulations:**

**Comments received**

M/s RE Connect Energy Solutions has submitted that Sale of power to a trader by a power plant and its subsequent sale by the trader are two independent transactions. A power project selling power to a trader has little or no control on the subsequent sale of power by the trader. The trader may sell the power on the power exchanges, or under a bilateral contract. Often, the project is not even aware of who the ultimate buyer is. Thus, an RE generator selling power to the trader should be considered as third party sale of power and therefore eligible for RECs under clause 5(c)(ii). It has requested the Commission to delete the term "trader" from the proposed 8.1(e) so that the clause should be read: "e. It does not sell electricity generated from the plant directly to an obligated entity for compliance of the renewable purchase obligation by such entity.

**Analysis and decision**

The Commission in its SOR accompanying the Draft Amendment REC Regulation had clarified that electricity supplied to an obligated entity for compliance of its RPO shall not be eligible for REC, since allowing it eligible for RECs would amount to double counting of the green attributes. The intent of this provision is that only one entity derives the benefit of REC/RPO. If the RE based generator intends to be eligible for REC accreditation, in that case sale by it to an obligated entity will not be counted in meeting the RPO of that obligated entity. Further, the proposed amendment is in line with the amendment made by CERC, hence, the suggestion of the stakeholder cannot be considered.

**f. Proposed Amendment in second proviso of sub-Regulation (7.2) of Principal Regulations:**

It has come to the notice of the Commission that in second proviso of sub-Regulation (7.2) of the Principal Regulations "Regulation 6.1" has been inadvertently mentioned in place of "Regulation 7.1". Accordingly, second proviso of sub-Regulation (7.2) of the Principal Regulations shall be read as:

*"Provided that where the Commission has consented to the carry forward of compliance requirement, the provision of Regulation 7.1 above or the provision of Section 142 of the Act shall not be invoked."*

**g. Purchase of power at APPC rates from the renewable energy generators****Comments received**

M/s Bhilangana Hydro Power Ltd. has submitted that in the given current scenario the commission may create appropriate provisions in the Renewable Purchase Obligation Regulation, wherein the distribution licensee/discom may be obligated to buy power at APPC rates from the renewable energy generators whenever offered by them. This will help to support the viability of the current projects that are adversely hit in the current market scenario and will also instill confidence in the investors of upcoming projects.

**Analysis and Decision**

In this regard, the Commission is of the view that it cannot force the licensee to procure power from renewable energy generators. Renewable purchase obligation (RPO) has been fixed for the licensee and accordingly, it is the prerogative of the licensee to plan its purchase. Besides, REC mechanism aims at promoting additional investment in the renewable energy projects and to provide an alternative mode to the RE generators for



recovery of their costs. Hence, in light of the above, suggestion of the Stakeholder is not acceptable.

**h. Infrastructures require to carry out energy metering and time-block wise accounting.**

**Comments received**

M/s Century Pulp & Paper while referring to Clause (d) of Sub-Regulation (8.1) regarding requirement of necessary infrastructure to carry out energy metering and time-block wise accounting has submitted that in case of captive users if REC is being allowed on self consumption then for metering of total power generation & self consumption meters are required. It has also submitted that the accuracy of meter should conform to the state grid code. However, there is no need for time-block wise accounting as these meters will monitor own consumption and generation as the case may be.

**Analysis and Decision**

In this regard, it would not be out of place to mention that the captive users can be of two types, one who meet their entire requirement through their own generation and second may be those who require to draw some energy to meet their requirement. Even the first category of captive users may draw some power from the grid at times when their generation falls short of their requirement. Hence, distinction cannot be made between the two. Besides the Procedure under the UERC (Compliance of Renewable Purchase Obligation) Regulation, 2010 for Accreditation of RE Generation Project by State Agency approved by the Commission clearly provides that the Meter(s) should be compliant with CEA Regulations. Hence, there is no merit in the response of the stakeholder and is not being considered.

**i. Holding of RECs by RE Generator for offsetting its renewable purchase obligation as a consumer.**

**Comments received**

M/s Open Access Users Association has submitted that a renewable energy generator including captive generating plant should be permitted to retain the certificates for offsetting its renewable purchase obligation as a consumer subject to certification and verification by the concerned State Agency. It has also submitted that the renewable energy generator including captive generating plant shall inform the Central Agency regarding the details of the certificates retained by it for meeting its renewable purchase obligations. It has further submitted that renewable energy generator should not be permitted to retain the

certificates for offsetting renewable purchase obligation of its group companies as a consumer.

### **Analysis and Decision**

The same has already been provided under CERC (Terms and Conditions for recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) (Second Amendment) Regulations, 2013. Further, Regulation 4.2 of the Principal Regulations specifies as under:

*"Subject to such directions as the Commission may give from time to time, the obligated entity shall act consistent with the CERC (Terms and Conditions for recognition and issue of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010 notified by the Central commission in regard to the procurement of the certificates for fulfillment of the renewable purchase obligation under these regulations."*

Hence, in view of the above referred provision in the Principal Regulations, there is no need to provide for the same separately.

- j. **Representation of 1 REC in terms of one Megawatt hour of electricity generated from renewable energy source.**

### **Comments received**

M/s Open Access Users Association has submitted that additional provision of regulation should be made in the Principal Regulations showing 1 REC equivalent of one Megawatt hour of electricity generated from renewable energy source and injected or deemed to be injected (in case of self consumption by eligible captive generating plant) into the grid. The Commission observes that denomination of REC has been defined in sub-Regulation 7(6) CERC (Terms and Conditions for recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010 and the same has also been mentioned in 'Procedure for issuance of Renewable Energy Certificates to the Eligible Entities' issued under above referred CERC's Regulations. Further, developers become eligible for issuance of RECs only after getting accreditation from Central Agency on recommendation of the designated State Agency. Moreover, RECs are being issued to the developer by Renewable Energy Certificate Registry of India (Central Agency, NLDC). In addition transaction of RECs also takes place through different REC exchanges. In light of the above it is clear that State Commission is not necessarily required to make additional provision for showing denomination of REC.



**Analysis and Decision**

As referred by the stakeholder, the same has already been provided under CERC (Terms and Conditions for recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010. Accordingly, in view of the Regulation 4.3 of the Principal Regulations referred in Para (i) above, there is no need to provide for the same separately.

**k. Cancellation of revocation of accreditation.****Comments received**

M/s Open Access Users Association has submitted that revocation of accreditation of Renewable captive generators done by UERC should be cancelled and renewable generators should not be asked for fresh filing for any kind of application as those eligible renewable generators are already in process of trading of RECs at Power Exchange platform after being registered with Central Agency (NLDC).

**Analysis and Decision**

The Commission is of the view that provision of revocation has been made to avert any foul-play or wilful default by the developer as elaborated in the Principal Regulation as well as in the CERC's relevant Regulations as under:

*"11.0 Revocation of Accreditation*

*11.1 If the State Agency, after making an enquiry or based on the report of Central Agency, is satisfied that public interest so requires, it may revoke accreditation of the renewable energy generating company where such company (a) breaches any of the terms and conditions of its accreditation which are expressly declared by such accreditation so as to render it liable to revocation; and (b) makes willful and prolonged default, in the opinion of the State Agency, in doing anything required of it by or under these regulations.*

*11.2 The State Agency before revoking the accreditation under Regulation 11.1 above shall give to such renewable energy generating company reasonable opportunity for being heard.*

*11.3 Notwithstanding the provisions of Regulation 11.1 & 11.2, the Commission may from time to time direct the State Agency to initiate enquiry and/or revocation process against such renewable energy generating company if the Commission deems it fit.*

*11.4 A person aggrieved by the decision of the State Agency may approach the Commission for redressal within fifteen days from the date of such decision being communicated and the Commission may pass order, as deemed appropriate."*

Further, a provision of redressal of grievance is also there as mentioned at sub-Regulation (11.4). Hence, the opportunity of making submission before the Commission is also provided to the developer before revocation of accreditation. In view of the above, suggestion made by the stakeholder is not being considered. If any accreditation has been cancelled by the Commission in accordance with the Regulations, the generator has to apply afresh for grant of accreditation.

#### 1. RPO Targets for FY 2013-14 onwards.

##### Comments received

M/s REConnect Energy Solutions has submitted that RPO targets has been fixed only upto FY 2012-13 and it has made suggestion to fix the RPO trajectory till 2020 in line with the NAPCC so that the obligated entities can plan to meet their RPO targets well ahead and project developers can plan to build capacity accordingly.

##### Analysis and Decision

In this regard, it is relevant to mention that the Commission has specified RPO targets for FY 2013-14 onwards till FY 2017-18 for both solar as well as non-solar sources in Regulation 9 of UERC (Tariff and Other Terms for Supply of Electricity from Non-conventional and Renewable Energy Sources) Regulations, 2013. The relevant provision of the same is reproduced hereunder:

*“(1) In line with the provisions of the Act, National Electricity Policy and the Tariff Policy, to promote development of renewable and non-conventional sources of energy, all existing and future distribution licensees, captive users and open access customers, hereinafter referred to as “Obligated Entity”, in the State shall be obliged to procure minimum percentage of their total electricity requirement for own consumption, as indicated below, from eligible renewable energy sources as defined under Regulation 4. The same shall be called the Renewable Purchase Obligation (RPO) of the Obligated Entities.*

Year	Renewable Purchase Obligation -Non-Solar	Renewable Purchase Obligation - Solar
2013-14	6.00%	0.050%
2014-15	7.00%	0.075%
2015-16	8.00%	0.100%
2016-17	9.00%	0.300%
2017-18	11.00%	0.500%

*\* Percentage RPO as stipulated above denotes Minimum Quantum of purchase from non-fossil fuel based co-generation and generation of electricity from renewable energy sources' as a percentage of total energy purchased from all sources/generated by the Obligated Entity during the year for own consumption.”*



Annexure-I

Following stakeholders who submitted their written comments on draft Amendment Regulations:

Sr. No.	Name of Stakeholders
1.	Uttarakhand Renewable Energy Development Agency (UREDA)
2.	M/s Century Pulp and Paper
3.	M/s Open Access Users Association
4.	M/s Bhilangana Hydro Power Ltd.
5.	M/s REConnect Energy Solutions Pvt. Ltd.

By the Order of the Commission,  
**NEERAJ SATI,**  
Secretary.



# सरकारी गजट, उत्तराखण्ड

## उत्तराखण्ड सरकार द्वारा प्रकाशित

रुड़की, शनिवार, दिनांक 28 दिसम्बर, 2013 ई0 (पौष 07, 1935 शक सम्वत्)

भाग 7

इलेक्शन कमीशन ऑफ इण्डिया की अनुविहित तथा अन्य निर्वाचन सम्बन्धी विज्ञप्तियां

भारत निर्वाचन आयोग सचिवालय

निर्वाचन सदन, अशोक रोड, नई दिल्ली-110001

अधिसूचना

08 नवम्बर, 2013 ई0

संख्या 23/उत्तराखण्ड/2013/उ0अनु0-II-यतः, आयोग ने अपने दिनांक 13-08-2013 के पत्र द्वारा उत्तराखण्ड राज्य के लिए अर्हक तारीख 01-01-2014 के संदर्भ में निर्वाचन नामावलियों के विशेष सार पुनरीक्षण हेतु अनुसूची की घोषणा करने के साथ ही 18 अक्टूबर, 2013 को प्रारूप प्रकाशन की तिथि तथा 18 अक्टूबर, 2013 से 12 नवम्बर, 2013 की अवधि को दावे और आपत्तियों को दाखिल करने की अवधि के रूप में नियत कर दिया था; तथा

यतः, उत्तराखण्ड राज्य के 70 विधान सभा निर्वाचन क्षेत्रों की ड्राफ्ट नामावलियों को 18 अक्टूबर, 2013 को प्रकाशित कर दिया गया था; और

यतः, आयोग ने पुनरीक्षण प्रक्रिया का पुनर्विलोकन किया है और मुख्य निर्वाचन अधिकारी, उत्तराखण्ड के दावों और आपत्तियों को दाखिल करने की अवधि को बढ़ाने के अनुरोध पर भी विचार किया है ताकि दावों और आपत्तियों को दाखिल करने के लिए और अधिक समय दिया जा सके और यह निर्णय लिया है कि दावों और आपत्तियों को दाखिल करने की अवधि को 18 नवम्बर, 2013 तक बढ़ाया जाए,

अतः, अब आयोग ने निर्वाचक रजिस्ट्रीकरण नियम, 1960 के नियम 12 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उत्तराखण्ड राज्य में उपरोक्त 70 विधान सभा निर्वाचन क्षेत्रों के लिए 01-01-2014 के सन्दर्भ में निर्वाचक नामावलियों के चालू विशेष सार पुनरीक्षण के लिए दावे और आपत्तियों को दाखिल करने की अवधि 18 नवम्बर, 2013 तक बढ़ा दी है।

आदेश से,

शंगारा राम,  
प्रधान सचिव।

राधा रतूड़ी,  
प्रमुख सचिव एवं  
मुख्य निर्वाचन अधिकारी।



## NOTIFICATION

*November 08, 2013*

**No. 23/UKD/2013/NS-II--**Whereas, the Commission had announced the schedule for Special Summary Revision of electoral rolls with reference to 01-01-2014 as the qualifying date for the State of Uttarakhand *vide* its letter dated 13<sup>th</sup> August, 2013, fixing inter-aha, the 18<sup>th</sup> October, 2013 as the date of draft publication and the period 18<sup>th</sup> October, 2013 to 12<sup>th</sup> November, 2013 as the period for filing claims & objections; and

Whereas, the draft rolls of for all 70 Assembly Constituencies in the State of Uttarakhand were published on 18<sup>th</sup> October, 2013; and

Whereas, the Commission has reviewed the revision process and has also considered the request of the Chief Electoral Officer, Uttarakhand to extend the period for filing claims & objection so as to give more time to the public to file claims & objections, and has decided to extend the period for filing claims & objections up to 18<sup>th</sup> November, 2013

Now, therefore, the Commission, in exercise of the powers conferred by proviso to Rule 12 of the Registration of Electors Rules, 1960, extends, for afore-said 70 Assembly Constituencies in the State of Uttarakhand the period for filing claims & objections up to 18<sup>th</sup> November, 2013 for the ongoing special Summary Revision of electoral rolls with reference to 01-01-2014.

By Order,

SHANGARA RAM,  
*Principal Secretary.*

RADHA RATURI,  
*Principal Secretary,  
Chief Election Officer.*



# सरकारी गजट, उत्तराखण्ड

## उत्तराखण्ड सरकार द्वारा प्रकाशित

रुड़की, शनिवार, दिनांक 28 दिसम्बर, 2013 ई0 (पौष 07, 1935 शक सम्वत्)

भाग 8

सूचना एवं अन्य वैयक्तिक विज्ञापन आदि

कार्यालय नगर पालिका परिषद्, नैनीताल

विज्ञप्ति

19 जुलाई, 2013 ई0

संख्या 3013/XV-18—नगरपालिका परिषद्, नैनीताल सीमान्तर्गत म्यू एक्ट 1916 की धारा 298 लिस्ट IIH(b) और (m), E(b) और लिस्ट II H(p) के अन्तर्गत ट्रैफिक को नियंत्रित व विनियमित करने हेतु बनायी गयी प्रचलित उपविधि जो वि0स0 683/XI39-H दिनांक 14-02-1917 को प्रकाशित हुयी थी में प्रचलित उपविधि के प्रस्तर 14 जो दिनांक 07 जनवरी, 2012 के गजट में प्रकाशित के स्थान पर निम्नलिखित संशोधन किये जाते हैं।

संशोधन

“ठंडी सड़क में किसी भी प्रकार के वाहनों का संचालन पूर्णतया प्रतिबन्धित होगा।

तल्लीताल पोस्ट आफिस (डाठ) से (यथा सम्पूर्ण मालरोड, मल्लीताल रिक्शा स्टैण्ड, मोहन—को चौराहा) चीना बाबा मन्दिर तक तथा आर्य समाज रोड से जामा मस्जिद मल्लीताल तक जामा मस्जिद से मैट्रोपोल होटल तक के सार्वजनिक मार्ग को नो—पार्किंग (No Parking) मार्ग घोषित किया जाता है।

परन्तु मालरोड में मैरिनो होटल से जगाती होटल तक, सैन्ट्रल होटल से क्लासिक होटल तक, ग्राण्ड होटल से चर्च तक और स्टेट बैंक के सामने 15 मिनट सवारियों उतारने के लिये इस प्रतिबन्ध के साथ अनुमति प्रदान की जायेगी कि वाहन चालक वाहन में बैठा हो।



किसी भी व्यक्ति द्वारा उपरोक्त उपविधि का उल्लंघन करने पर अधिशासी अधिकारी, नगरपालिका परिषद्, नैनीताल द्वारा अधिकृत अधिकारी/कर्मचारी एवं ट्रैफिक पुलिस विभाग के अधिकारी/कर्मचारी द्वारा अर्थदण्ड आरोपित किया जायेगा। जिसकी अधिकतम सीमा एक हजार रुपया (₹ 1000.00) होगी तथा न्यूनतम धनराशि निम्नवत् होगी।

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| 4. स्कूटर/मोटर साईकिल आदि दो पहिया वाहन                | ₹ 100.00। |
| 5. मोटर कार/टैक्सी/टैम्पू व अन्य छोटा सवारी वाहन (LMV) | ₹ 300.00। |
| 6. ट्रक/बस/यूटीलिटी/टैम्पो ट्रैवलर/मिनी बस आदि (HMV)   | ₹ 500.00। |

यह उपविधि दिनांक 10 जून, 2013 से प्रभावी होगी।

No Entry Zone एवं One Way के कोई भी व्यक्तक्रम में मोटर यान अधिनियम, 1988 (Motor Vehicle Act.) के अन्तर्गत दण्डनीय होगा।

श्याम नारायण,  
अध्यक्ष,  
नगरपालिका परिषद्, नैनीताल।